

U.S. Patent Application Serial No. 09/778,562
Applicant: Cohen, et al.

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REMARKS

The undersigned attorney thanks Examiner Sax for his careful review of this patent application. Reconsideration of the present application is respectfully requested in view of the following remarks. Claims 1-44 and 46-52 are currently pending in this Application with claim 45 being canceled without prejudice and new claims 46-52 being added by this amendment. Prior to entry of this amendment, claims 1-45 were pending in the application. Claims 1-3, 5-11, 24-29, and 42-45 were rejected and claims 4, 12-23, and 30-41 were objected to.

15 Objection to Claims 4, 12-23, and 30-41

The Examiner objected to claims 4, 12-23, and 30-41 due to dependence upon a rejected base claim. The Applicants gratefully acknowledge the Examiner's allowability of claims 4, 12-23, and 30-41 if rewritten in independent format. Claims 4, 12, 16, 30, and 34 have been rewritten in independent format. Claims 13-15, 17-23, 31-33, and 35-41 depend on the rewritten claims and hence do not require amendment, because they no longer depend upon a rejected base claim. Accordingly, Applicants believe that each of claims 4, 12-23, and 30-41 are in condition for allowance and withdrawal of the objection to these claims is respectfully requested.

25 Claim Rejections

Claims 1-3, 5-11, 24-29, and 42-45 were initially rejected under 35 U.S.C. § 102(e) as being anticipated by Murphy (U.S. Patent No. 6,615,247).

30 The Examiner asserts that Murphy shows a method for modifying the structure of a network accessible website based on the analysis of activity associated with the website. Murphy is directed towards "automatically customizing a vendor's web site, based on a web site customer's previous location or terms used in a search by the customer." (See Abstract). In essence, Murphy teaches that customization is done by analyzing the referral URL for a visitor

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- 5 arriving to the web site and tailoring the content of the page the user receives based on the location and search keywords found in the referral URL.

10 In contrast, the present invention is directed toward a system and method that tracks user movement *within* a web site and customizes structural characteristics of the web site to improve the user experience. Accordingly, certain embodiments of the present invention are directed toward customizing a web site based on how users navigate the content of the web site. Contrarily, in Murphy, a web site is customized based on how the user arrived at the web site.

15 Accordingly, claims 1 and 44 have been amended to more particularly describe these features of the present invention. Claims 1 and 44 have been amended to further define the elements of: "identifying a plurality of objects of interest associated with a web site; identifying one or more structural characteristics relating the plurality of objects of interest;" and "identifying sequential user accesses to the plurality of objects of interest." Applicants respectfully submit that amended claims 1 and 44 are patentably distinguishable over the cited art and Applicants respectfully request passing of the case to issuance in due course of Patent Office business. Dependent claims 2, 3, 8, and 26 have been amended to reflect the language of amended claim 1. Also, Applicants respectfully submit that dependent claims 2-3, 5-11, 24-29, and 42-43 are also allowable for the various additional limitations contained therein, which further distinguish the prior art. Furthermore, independent claims 4, 12, 16, 30, and 34 have been
25 rewritten in independent format, based on the recommendation of the Examiner, and is also believed to be allowable as known by the Examiner. Additionally, previously objected to dependent claims 13-15, 17-23, 31-33, and 35-41 depend upon independent claims 4, 12, 16, 30, and 34 are also believe to be allowable as known by the Examiner.

30 New claims 46-52 have been added. Claims 46-48 depend from claim 1. Claims 49 and 52 are independent claims and do not introduce any new matter.

Therefore, Applicants respectfully submit that the objections and rejections should be withdrawn and Claims 1-44, and 46-52 are in condition for allowance.

U.S. Patent Application Serial No. 09/778,562
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FEES

Enclosed with this Response and Amendment is a one-month petition for extension of time, and the Commissioner is authorized to debit deposit account No. 20-1507 for this fee. Through the present Amendment and Response to First Official Action, one independent claim was withdrawn, five dependent claims were rewritten in independent format, 6 new claims were added and 1 claim was cancelled. Accordingly, \$367.00 is due for the additional claims fee and the one month extension of time fee.

CONCLUSION

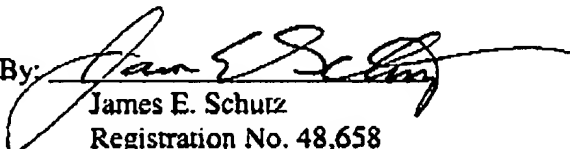
The foregoing is submitted as a full and complete response to the Office Action mailed January 16, 2004. It is respectfully submitted that claims 1-44 and 46-52 are in condition for allowance and that each point raised in the Office Action with regard to these claims has been fully addressed. Therefore, it is respectfully requested that the rejections be withdrawn and that the case be processed to issuance in accordance with Patent Office Business.

If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please contact James Schurz at 404.885.3498.

Respectfully submitted,

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By:



James E. Schurz
Registration No. 48,658
Attorney for Applicant

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Troutman Sanders LLP
600 Peachtree Street, NE
Suite 5200
Atlanta, Georgia 30308-2216
(404) 885-3498

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